

3 FAM 3250 OFFICIAL RESIDENCE EXPENSES

(TL:PER-448; 08-02-2002)

3 FAM 3251 GENERAL INFORMATION

3 FAM 3251.1 Scope

(TL:PER-448; 08-02-2002)

(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)

(Applies to Foreign Service Employees Only)

a. Official residence expenses (ORE) are intended to defray unusual expenses incidental to the operation and maintenance of official residences in which principal representatives can properly represent the United States abroad by:

- (1) Extending official (as distinct from personal) hospitality to foreign dignitaries and important visitors;
- (2) Receiving official deputations and callers; and
- (3) Holding requisite and appropriate ceremonies smoothly and with dignity.

b. Payment of official residence expenses is intended to keep the official residences staffed and in operation to the extent necessary, even during intervals between the departure of a principal representative because of recall, transfer, or some other reason and his or her return or the arrival of his or her successor.

c. Reimbursement of official residence expenses should not be considered to be a gratuity, allowance, or other compensation.

3 FAM 3251.2 Authority

(TL:PER-448; 08-02-2002)

(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)

(Applies to Foreign Service Employees Only)

The authorities cited for this subchapter are:

- (1) 5 U.S.C. 5913;
- (2) 22 U.S.C. 287e, 287e-1, 287;

(3) The Vienna Convention on Diplomatic Relations (VCDR), Article 33;
and

(4) Department of State Standardized Regulations (DSSR), Chapter
400.

3 FAM 3251.3 Definitions

(TL:PER-448; 08-02-2002)

(Uniform State/USAID/BBG/Commerce/Foreign Service Corp–USDA)

(Applies to Foreign Service Employees Only)

a. **Principal representative**—senior official of the U.S. Government serving in a foreign country who has been designated by the Secretary of State.

b. **Official residence**—the residence designated by the head of the agency for occupancy by a principal representative of an agency. The term “official residence” includes the building and grounds:

(1) Purchased or leased by the U.S. Government and assigned to a principal representative; or

(2) Leased or owned by a principal representative, or by a member of his or her family, and occupied by the principal representative as his or her residence.

c. **Household staff**—the person employed by a principal representative to perform household duties at an official residence. ORE household staff are not employees of the U.S. Government.

d. **Staff maintenance**—the board, lodging, clothing, local transportation, medical and dental care, social security and other assessments, gratuities, burial expenses, and so forth, which are required in accordance with local law or custom to be provided to household staff by the principal representative in addition to wages. Transportation costs and training described in DSSR 451 also are considered to be a part of staff’s maintenance.

3 FAM 3252 DESIGNATION OF PRINCIPAL REPRESENTATIVE AND OFFICIAL RESIDENCE

3 FAM 3252.1 Principal Representative

(TL:PER-448; 08-02-2002)

(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)

(Applies to Foreign Service Employees Only)

a. The Secretary of State will designate the positions whose incumbents shall be considered principal representatives.

b. Officers holding the following positions or ranks are designated as principal representatives:

(1) Chiefs and deputy chiefs of diplomatic missions, and principal officers in charge of consulates general and consulates;

(2) Directors of USAID missions, USAID representatives, and USAID affairs officers;

(3) Minister-Counselors of the Department of Commerce, provided funding is available;

(4) Officials acting temporarily for all of the above officials; and

(5) Such other positions for any agency that are specifically designated by the Director, Office of Allowances, (A/OPR/ALS) in the Department of State.

3 FAM 3252.2 Official Residence

(TL:PER-448; 08-02-2002)

(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)

(Applies to Foreign Service Employees Only)

a. The appropriate regional bureaus in the Department of State and USAID; the Bureau of International Organization Affairs in the Department of State; the Director, Office of Personnel (M/P) in the BBG; and the Director, Office of Foreign Service Personnel in the Department of Commerce shall determine which residences at a post shall be designated as official residences for occupancy by principal representatives. These offices may redelegate this authority to:

(1) **State:** Chiefs of mission or charge d' affaires, a.i. (ad interim);

- (2) **USAID:** Directors or acting directors of USAID missions, USAID representatives or acting USAID representatives;
- (3) **BBG:** To the ranking BBG representative in the country;
- (4) **Commerce:** Regional directors, Office of International Operations; and
- (5) **USDA:** Deputy Administrator/Foreign Agriculture Affairs.

b. When a principal representative is expected to be absent from his or her post for a period in excess of 30 consecutive calendar days, the head of the agency may, in addition, designate as temporary official residence, the residence of the employee acting for the principal representative.

c. Information for official residence expenses during absence of principal representative can be found in DSSR 430.

3 FAM 3253 HOUSEHOLD EXPENSES

3 FAM 3253.1 Amount of Usual Household Expenses

(TL:PER-448; 08-02-2002)

(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)

(Applies to Foreign Service Employees Only)

The amount of usual household expenses (accounted for on an annual calendar year basis) that must be borne personally by a principal representative regardless of rank or grade is three and one-half percent (3.5%) of his or her salary. Refer to DSSR 040-paragraph I, for definition of salary.

3 FAM 3253.2 Usual Household Expenses Less Than Three and One-Half Percent

(TL:PER-448; 08-02-2002)

(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)

(Applies to Foreign Service Employees Only)

a. Should the total annual household and maintenance expenses (including any expenses identified in DSSR 451-453 or 3 FAM 3255.1 through 3255.5) not be paid through other funding sources such as described in DSSR 450 or 3 FAM 3255, (e.g. contracts for gardening services) total less than three and one-half percent of salary, the principal representative may pay the cost of such expenses and not seek any reimbursement under ORE.

3 FAM 3254 ELECTION OF OFFICIAL RESIDENCE EXPENSE

(TL:PER-448; 08-02-2002)

(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)

(Applies to Foreign Service Employees Only)

a. Upon arrival at post, the principal representative is responsible to contribute the three and one-half percent of his or her salary when reimbursement of ORE is sought.

b. If the principal representative chooses not to contribute the three and one-half percent of his or her salary when ORE costs are less than the contribution, then he or she must make this election upon arrival at the post and annually on January 1 each following year and may not change this election during the year. The election "not to contribute" the three and one-half percent of salary and "not to seek reimbursement" under ORE expenses must remain in effect through the calendar year ending December 31.

c. Refer to 3 FAH-1 H 3250 for further information, guidance, and procedures.

3 FAM 3255 ALLOWABLE EXPENDITURES

3 FAM 3255.1 Limitation on Household Staff

(TL:PER-448; 08-02-2002)

(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)

(Applies to Foreign Service Employees Only)

The following offices or officials shall determine the limitation to be placed on the total number of household staff that may be employed, at U.S. Government expense, in official residences of principal representatives in their respective areas:

(1) Department of State regional bureaus and the Bureau of International Organization Affairs;

(2) BBG the Director shall determine such limitation;

(3) USDA Deputy Administrator/Foreign Agriculture Affairs; and

(4) Department of Commerce Office of Planning, USFCS.

3 FAM 3255.2 Household Staff

(TL:PER-448; 08-02-2002)

(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)

(Applies to Foreign Service Employees Only)

Allowable expenses for the household staff include the following:

- (1) Wages and maintenance of household staff;
- (2) Transportation of household staff between the post and alternate seat of government;
- (3) Transportation of household staff between the residence post and another post of assignment if the principal representative is designated as a principal representative at both posts concurrently; and
- (4) Protocol and/or English language training when such training is reasonable and necessary.

3 FAM 3255.3 Funding

(TL:PER-448; 08-02-2002)

(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)

(Applies to Foreign Service Employees Only)

a. Within allotted funds, official residence expenses (ORE) may be charged for expenses described in DSSR 451-453 or 3 FAM 3255.2-3255.5. Reimbursement from the allotment used for official residence expenses may be made to principal representatives for official residence expenses that exceed on an annual basis the applicable amount of usual household expenses specified in DSSR 440 or 3 FAM 3253.1.

b. All expenses of operating an official residence are not chargeable solely as an ORE. (See 3 FAH-1 H 3251.2. Funding From Other Sources.)

3 FAM 3255.4 Household Operation and Maintenance

(TL:PER-448; 08-02-2002)

(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)

(Applies to Foreign Service Employees Only)

Household operation and maintenance of residence include the following:

- (1) The rent, installation, repair, upkeep and removal of furnishings, equipment, and appliances;

(2) The purchase of services such as those required to renovate and decorate the premises for use as an official residence (e.g. painting, minor landscaping, repair structures). For all alternate funding, see 6 FAM 700;

(3) General house cleaning, dry cleaning, laundry, trash removal, gardening services, and window washing; and

(4) Telephone and/or fax, basic Internet service, basic cable television, basic satellite television connection where cable television is not readily available, and other available communication media required for official use.

Enhanced services or additional extensions of the Internet, cable or satellite television will be considered a personal expense not covered by the ORE contribution and will be paid by the principal. Principal representatives assigned to official residences, their employees and their guests, are expected to pay for personal usage of equipment that results in additional costs (e.g. long distance phone calls).

3 FAM 3255.5 Expendable Household Supplies and Small Appliances

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a. Purchases should be limited to no more than six months' operating requirements for items which are normally consumed in use or lose their identity such as cleaning items, paper, light bulbs, linen, nails, and wire;

b. Supplies which are of insufficient value (less than \$250) that justifies maintenance of property accountability records, such as electrical equipment, kitchenware, plumbing supplies, and tools. Posts are encouraged to directly procure items for use by the official residence to maximize purchasing power. All items acquired with U.S. Government funds become property of the U.S. Government.

3 FAM 3255.6 Salary, Leave and Benefits

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(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)

(Applies to Foreign Service Employees Only)

Guidelines for establishing salary, leave and benefits for household staff are found in 3 FAH-1 H-3250.

3 FAM 3256 PROHIBITIONS

(TL:PER-448; 08-02-2002)

(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)

(Applies to Foreign Service Employees Only)

The following expenses may not be reimbursed from or charged to the ORE account:

(1) Expenditures which are properly borne by representation allowance funds (such as ORE staff overtime, extra waiters for official functions or other allowable items under DSSR 320);

(2) Expenditures properly borne by any other appropriation as specified by acts of Congress or by internal agency regulations;

(3) Expenditures prohibited by law;

(4) Wages and maintenance of household staff who provide personalized services or are commonly employed by most employees at post who do not have official residence responsibilities (such as chauffeur, personal maid, personal secretary, nursemaid, or governess); and

(5) Transportation of household staff for purposes other than delineated by DSSR 451, unless transportation is incorporated into the wage contract due to lack of available qualified personnel at the post and approved by head of the agency.

3 FAM 3257 PAYMENT

(TL:PER-448; 08-02-2002)

(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)

(Applies to Foreign Service Employees Only)

a. Permanent and part-time staff employed under ORE are employees of the principal representative, not of the U.S. Government. Thus, the principal representative (or household manager) will disburse the pay to these employees. In the absence of the ambassador the charge d' affairs should arrange for payment.

b. Official residence expenses authorized under DSSR 400 or 3 FAM 3250 must be accounted for on an annual calendar year basis and paid or reimbursed monthly based on the annual amount calculated. Refer to 4 FAM 446. Each agency should establish policies and procedures in order to ensure an employee pays the appropriate amount.

3 FAM 3258 PROCEDURES AND GUIDELINES

(TL:PER-448; 08-02-2002)

(Uniform State/USAID/BBG/Commerce/Foreign Service Corp-USDA)

(Applies to Foreign Service Employees Only)

Procedures, guidelines, and additional information concerning ORE are found in 3 FAH-1 H-3250.

3 FAM 3258.1 Additional Information

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Additional ORE information can be obtained from the Department of State OpenNet and other Internet websites. Websites can be found at:

(1) Office of Allowances (DSSR): <http://aoprals.a.state.gov>

(2) Directive Management's Website: **(a) Intranet:**
<http://arpsdir.a.state.gov> **(b) Internet:**
<http://foia.state.gov/famdir/fam/fam.asp>

(3) United States Code: **5 U.S.C. 5913** and **22 U.S.C. 287e, 287e-1, 287 is:** <http://www4law.cornell.edu/uscode>

3 FAM 3259 UNASSIGNED